

Living With Contaminated Groundwater

From CLEAN's Chairman

This article contains questions put forth to Mr. Brad Bradley, US EPA, CLEAN Inc., is facing a crisis in the Conrail Superfund site, and we need the help of the Superfund Administration in the form of statistics and information about other Superfund sites around the country for purposes of comparing our site to others. We need to be able to present our community with a clear picture of our problem in relation to problems around the country as a whole. The name of our group, CLEAN, stands for Citizens League for Environmental Action Now. We are located in Elkhart, Indiana, and for many years now we have been deeply involved in working with the community affected by the Conrail Superfund site.

We have obtained two technical assistance grants over the years to

help us study and research the site and pass accurate information on to the public involved through our newsletter, public meetings, and the local news media.

We have seen our efforts prove useful in our area. Our emphasis upon importance of further extensive water testing has proven appropriate. More and more evidence of pollution in the area and beyond gathered from household tests as well as the monitoring test well system caused the borders of the site to be pushed on into St. Joseph County.

Many more household filtration systems was installed, and because testing pointed to increasing pollution levels, point-of-use filtration were in some cases upgraded to full house systems. When it became obvious that filtration systems of any sort were futile efforts to deal with the problem, the provision of a city water line was concluded to be the obvious solution. Using figures researched from test results as our argument, CLEAN pressed long and hard for full coverage of city water for the total 1,200 household area instead of for just the 505 households originally designated. We were finally rewarded by the decision of the EPA and Conrail to provide water for our entire area. We

all breathed a sigh of relief as work commenced on the project to bring everyone safe water.

It seems now that our relief may have been a bit premature. Yes, we will all have a source of safe water for now, but the pollution source may be left to spread with no attempt to abate it until our entire county and perhaps the county next to us is polluted.

The original order from the EPA called for a remedial action to follow the provision of city water. This was suggested to be a pump & treat effort to contain and hopefully eventually clean up the polluted site. Recent negotiations have called this remedial action into question. Conrail has won the right to contest the pump & treat remedial action and CLEAN is seriously worried that they will be granted their wish to stop with the provision of the city water line and make no effort at all to clean up their railyards.

The gist of what CLEAN needs from the Superfund is this: We know that the Conrail yard is among the 1,000 worst polluted Superfund sites in the country. What we need is hard facts and statistics about our standing among these 1,000 sites, and some quotable comparative figures to bolster our position that some remedial action has to be taken. Could you prepare us a list of

CONTENTS

From CLEAN's Chairman	1
If Any of You	2
From The Editor	2
Final Consent Decree	3

Superfund sites with some indication of the type and level of pollution in each, and showing the relative standing of the Conrail site in regard to severity? It would be very helpful to know in the case of these other sites whether or not remedial action such as pump & treat or soil removal has been planned or taken. In assigning the Conrail site its relatively severity status among Superfund Sites, please be aware of the latest pollution figures available through the most recent tests. The TCE levels are incredibly high, considering the 5 ppb MCL for that chemical. The household well of Michael Fitch, the Chairman of CLEAN, registered 800 ppb of TCE in 1986. When it was tested again in 1993, the TCE level had risen to 2600 ppb!

A monitor well near his home is documented to producing test samples of 8500 ppb of TCE. To add to our problems, levels of carbon tetrachloride as high as 6800 ppb have been documented in the area, as a result of a 200 ton spill in the rail yard back in the '50's. Again, 5 ppb is the MCL. This goes beyond mere pollution to outright toxicity.

Please we need any help you can give us in the way of facts and figures. As unconscionable as it may seem to just leave such pollution in the ground like an enormous toxic teabag to spread its poisons throughout our county, it is what's being proposed. Elkhart County has numerous other Superfund sites, as you know. We have reached saturation point where we either use technology to start fighting back, or we will lose it all in

the end. IT IS ALL THE SAME GROUND-WATER, OUR SOLE SOURCE AQUIFER, AND IT IS ALL AT RISK. What good will the new city water line be when the pollution finally spreads to the city owned well fields that feed the city water lines? We have to take a stand.

Michael Fitch

If Any of You...

Readers are not hooked up to city water yet, you may be interested in my story.

On July 12, 1996 we signed a purchase agreement for the sale of my mom's home. The days to complete this transaction were set at thirty days, which was agreed by all concerned.

The Bank the purchaser went to was in Kalamazoo, Michigan, which made it an out of state of bank. This may of been a complicating fact because the home is located on CR 16 West, here in the Superfund area. But remember we do not get to choose the bank the purchaser goes to for a mortgage loan. That is up to them.

The purchaser was approved in a relatively short time, and would of made the closing well within the thirty day limit. However the bank was concerned as to the soil condition. On the appraisers form there is a question about soil. Since the appraiser new city water was going in, she could not comment on the condition of the soil. She made a statement to the effect that the house was in a Superfund site, but she did not know the condition of the soil. This sent "red flags" up for the bank. All unnecessary of course. Around the time of the

thirty day limit a soil test was ordered. The loan could not proceed until this was done. So the purchaser was required to pay for a soil sample. The results were negative, but of course this did not satisfy the bank. Another few weeks went by and the day before the closing the bank called with more questions about the actual installation of the water into the house and when would that take place. The installation was scheduled for Tuesday of the next week, tentatively. The closing was to be on Friday before that. The bank decided on the eve of closing that they thought it would be best to have the water lines hooked up in the home before the closing could take place. That meant another delay and depending on the weather, scheduling of work, troubleshooting, etc., maybe lots longer than just next Tuesday. The passage of time had already been nine weeks. With the element of uncertainty as to scheduling, it may of gone on much longer, or may have never been closed and completely approved by the bank. The point of my tale, I think, is very clear. As time goes by, the banks will become more and more reluctant to ok a loan if the city water is not in. Especially if the majority of homes are hooked up. If you have a home which is not hooked up to city water, and you do not plan to have it hooked up, give this some thought. Maybe you never plan on selling your home and moving elsewhere. But what about your children or other family members. None of us live forever and then someone else will need to handle the problem, and it may be

very costly at the time or impossible.

Vicki Fore

From the Editor

Pluses & Minuses

Yes, water main installations and home hook-ups are moving along at a rapid pace. This is due to the good work of Selge construction. Many Thanks!

At this time CLEAN is very concerned about the final phase of the ROD which orders extraction/pump and treat. It is very possible that this phase will not be enforced, just think of what can happen. Pollution will continue to expand into all areas between the railroad and the river. In high water areas children will play in rainwater mixed with groundwater. Wildlife, as well as pets will be exposed to VOC's. Property values could decrease. Already one sale was blocked because the lending company refused the loan so long the date of closing could not be met. CLEAN is also concerned about the prevalence of kidney disease, cancers, skin problems, and some new hard to diagnose conditions, such as polyneuropathy and fibromyalgia.

There are also a few residents that are being denied hook-up unless they become a part of Suburban Utilities. These are people in homes where the land was purchased and a home erected many years before there was a Suburban Utilities or TIV. Now Robert Miller claims to hold a franchise for a water line over these areas.

In order to get where we are now, people in this Superfund Site have worked together for the good of all. Let's continue to do that. Everyone

needs to be concerned about these issues. Let's all work together to accomplish what was ordered by the ROD.

Laura Richard

Final Consent Decree

As you may of heard by now, the EPA has come out with a Partial Consent Decree in which, the EPA, has opted to allow Conrail & Penn Central the opportunity to argue the necessity of providing water to River Shores and/or the effectiveness of the extraction treatment process for groundwater. By the time you read this, there will most likely be lodged with the federal court a Final Consent, spelling out the manner in which both these concerns will be addressed.

CLEAN's fear is that the EPA will let the treatment process go without much of a fight. The congressional attitude towards Superfund clean-ups has changed. The Gallan-Meyers site in St. Joseph County has been allowed to proceed without groundwater treatment process, and now helps feed TCE to the St. Joseph River. CLEAN has responded to the Partial Consent Decree, and will respond to the Final Consent Decree. The following are Comments to the Partial Consent Decree sent to Kirk Lindland, Esq., of the EPA, September 7, 1996. CLEAN, Inc. is concerned that the EPA has spelled out that the ultimate drinking water supply for residents in River Shores may be challenged for "dispute resolution". The total hook-up of the Conrail/CR I Superfund Site, was to insure the protection of human health and the environment,

as outlined in the Record of Decision and the Unilateral Order for Final Remedy.

CLEAN, Inc. believes Conrail and Penn Central have not yet demonstrated that home wells in River Shores, not impacted at present, will not eventually become impacted by contamination originating from the railyard. CLEAN, Inc. has reviewed the groundwater model performed by Conrail's consultants, and believes it to be constrained and inadequate, and that reports generated by Conrail and Penn Central experts who refer to said model, make assumptions based on insufficient data.

Home well sample data in River Shores, included in monthly reports, indicates the presence of breakdown products from the contamination coming from the railyard. It has also been reported to Mr. Brad Bradley of the EPA, that TCE has been found in at least one home well across the river from the site.

It is hard for CLEAN to believe that any bargaining can be done when lives are at risk. Residential home wells in the Conrail/CR I Superfund Site have had concentration levels of TCE, CCl4, TCA contamination higher than most other Superfund sites. Yet information from an accessible data base reflecting effects of long term exposure are incomplete and not up to date. Every child from the railyard to the river should expect to of been exposed to these contaminants at some point in their lives. The minimum that should be done is the reduced risk of long term exposure. CLEAN, Inc. is concerned that EPA

has spelled out that the Extraction Treatment portion of the Final Remedy may be challenged for "dispute resolution". Extraction Treatment, was to insure the protection of human health and the environment, as outlined in the Record of Decision and the Unilateral Order for Final Remedy. CLEAN, Inc. believes Conrail and Penn Central have not yet demonstrated that the presence of TCE, CC14, TCA, in the groundwater will not impact the St. Joseph River, and/or have an adverse impact on the natural wildlife that relies on the river for their existence.

Sample data from the dewatering portion of the water main installation in Elk Park, indicates the presence of vinyl chloride, which was allowed to be administered to the Crawford Ditch. As you know, the MCL for this substance is 2ppb. CLEAN believes that this breakdown product will become more of a problem over time, and that larger concentrations of this product will be detected in areas where the known plume exists now.

CLEAN, Inc., believes Conrail and Penn Central have not yet demonstrated that by merely hooking up homes to public water and not completing the extraction treatment phase, will allow homeowners to retain expected value to their homes.

CLEAN, Inc., is concerned that the EPA has spelled out in the Partial Consent Decree that retaining moneys spent by EPA and EPA's subcontractors is of greater importance than the protection of human health and the environment,

as outlined in the Record of Decision and the Unilateral Order for Final Remedy. It appears that the EPA is willing to sell the protection of human health and the environment down the river for six million dollars.

CLEAN, Inc., believes that information regarding any investigations, assemblage of model information, and sample data should be made available to CLEAN and CLEAN's assistant, and that CLEAN's assistant be allowed to attend meetings between responsible parties and the EPA. This would allow for citizens within the Superfund site, whose health, home and environment have been seriously impacted by Conrail and Penn Central to be a stronger force in the decision making process. CLEAN, Inc., would insist that before any bargaining away of full area hook-up, and extraction treatment be done, that a study be completed on the long term and short term effects of exposure to the contamination in the Conrail/CR I Superfund Site, and that those studies be made available to residents, so that a comparison can be made from the expected impact to the horror stories heard by CLEAN on a daily basis.

CLEAN would also insist the same sort of study analysis should be done on the damaged environment including natural resources, aquatic and plant life. This may help in evaluating the loss of residential property value and the stigma associated with owning property within the site.

Published by:
CLEAN, Inc.

CLEAN

Yes, I'd like to become a member of the Citizens League For Environmental Action Now (CLEAN Inc.) A non-profit organization

Mail to:
CLEAN, Inc.
PO Box 4754
Elkhart, IN 46514

Name _____

Address _____

Phone _____

Comments _____

- [] five dollar individual member
[] twenty-five dollar organization member
[] _____ donation